

Application Number 10/696,491
Amendment dated April 20, 2007
Responsive to Office Action mailed December 20, 2006

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REMARKS

This Amendment is responsive to the Office Action dated December 20, 2006. Applicant has amended claims 26-32, 34-44, 46, 48 and 49, and cancelled claims 72-74, 76-85, 87-95 and 97-123. Claims 8, 20, 33, 45, 47, 57, 66, 69, 75, 86 and 96 were previously cancelled by a Preliminary Amendment. Claims 1-7, 9-19, 21-32, 34-44, 46, 48-56, 58-65, 67,68, 70 and 71 are pending.

Restriction Under 35 U.S.C. § 121

In the Office Action, the Examiner restricted claims 1-7, 9-19, 21-32, 34-44, 46, 48-56, 58-65, 67, 68, 70-74, 76-85, 87-95 and 97-123 under 35 U.S.C. § 121 as follows:

Group I. Claims 1-7, 18-19, 21-32, 34-44, 46, 48-56, 58-65, 70-71, drawn to rotation of a human body in response to a user's input,

Group II. Claims 72-74, 76-85, 87-92, 93-95, 97-105, drawn to user's interface for mapping the input to a body surface coordinate system, and

Group III. Claims 106-123 are drawn to operator interface (e.g., display with control).

Applicant elects Group I without traverse. Applicant has cancelled claims 72-74, 76-85, 87-95 and 97-123 of non-elected Groups II and III without prejudice, and reserves the right to present claims directed to the non-elected Groups, including the cancelled claims, in one or more divisional applications.

Claim Rejections Under 35 U.S.C. §§ 101 and 112

The Office Action rejected claims 26-32, 34-44, 46, 48, 49, 93-85, 87-92, 112-117 under 35 U.S.C. §§ 101 and 112. With respect to section 101, the Office Action argued that the inventions defined by the claims, as previously presented, were not supported by either a positive asserted utility or a well established utility. More particularly, the Office Action argued that the claimed "computer-readable medium" was not defined by the claims, and could reasonably be interpreted as "communication media, transmission medium, signal," which the Office Action argued are non-statutory. The section 112 rejection is essentially a restatement of the section 101

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rejection; arguing that because the invention lacks utility one of ordinary skill in the art would not know how to use the claimed invention.

Applicant respectfully traverses these rejections. Applicant does not agree with or acquiesce in any of the assertions in the Office Action. The claims as previously presented did, by their recitations, define the claimed computer-readable medium. Applicant also does not agree with the Office Action's statement that signals are *per se* not statutory subject matter, and does not agree that one of ordinary skill in the art would not have known how to use the inventions recited by the claims as previously presented.

Nevertheless, in the interest of advancing the prosecution of this application, Applicant has amended claims 26-32, 34-44, 46, 48 and 49. As amended, each of claims 26-32, 34-44, 46, 48 and 49 recites a computer-readable *storage* medium. Applicant respectfully submits that, as amended, each of claims 26-32, 34-44, 46, 48 and 49 is distinguished from a transient signal, recites statutory subject matter, and is enabled by the written description.

CONCLUSION

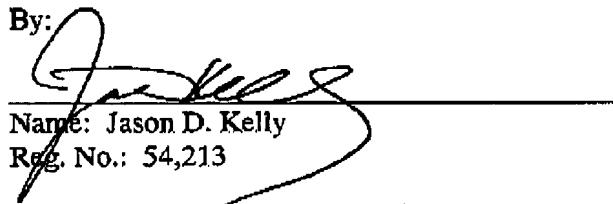
All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

4-20-07

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